

Before the
Federal Communications Commission
Washington, D.C. 20554

In the matter of)	
)	
Development of Nationwide Broadband)	
Data to Evaluate Reasonable and Timely)	
Deployment of Advanced Services to All)	CC Docket No. 07-38
Americans, Improvement of Wireless)	
Broadband Subscribership Data, and)	
Development of Data on Interconnected)	
Voice over Internet Protocol (VoIP))	
Subscribership)	

**Reply Comments of the
Maine Public Utilities Commission and the Connect Maine Authority**

The Maine Public Utilities Commission (“MPUC”) and the Connect Maine Authority (CMA) (collectively, “Joint Commenters”) hereby submit these joint reply comments pursuant to the Federal Communication Commission’s (FCC) Report and Order and Further Notice of Proposed Rulemaking (FNPR) in this proceeding. In these reply comments, the Joint Commenters respond to Comments on the FCC’s request for comments on matters relating to broadband availability mapping. Specifically, we reiterate our support of the FCC’s proposal to require broadband providers to submit detailed, address-by-address information regarding the availability of the broadband service in their territories. We also support comments made by BroadbandCensus.com, New Jersey Division of Rate Council, the Kentucky Public Utilities Commission, and the Attorney General of Illinois. Finally, we renew our request that the FCC reconsider its decision to keep individual provider’s broadband availability data confidential.

As stated in our initial comments, there is a need for detailed, geographic data and maps on broadband availability. We agree with the Consumers Union, Consumer

Federation of America, Free Press and Public Knowledge, the New Jersey Division of Rate Council, and the California Public Utilities Commission that the FCC should employ the latest, state of the art GIS technology available to collect the data and create the maps. Thus, the Joint Commenters support the adoption of a national broadband mapping program with the objective of creating a highly-detailed map of broadband availability nationwide. We do not agree with Verizon and Verizon Wireless that a federal mapping program would undermine state level efforts and public private partnerships already formed and forming. As long as the FCC agrees to share the data with the states, we agree with the California Public Utilities Commission that any “national mapping program the FCC undertakes would supplement, but not replace, mapping programs undertaken by the states and various public private partnerships.” It would be particularly helpful for small states with limited means to be able to rely on data collected and managed by a federal agency.

The FNPR seeks comment on how to maintain the confidentiality of data collected pursuant to federal requirements. We stated in our initial comments that we believe that GIS can be easily programmed to limit access and maintain confidentiality in a variety of ways. However, we are encouraged by comments made by BroadbandCensus.com, New Jersey Division of Rate Council, the Kentucky Public Utilities Commission, and the Attorney General of Illinois, that echo our suggestion that the FCC reconsider its decision finding that all information submitted pursuant to Form 477 be considered confidential. In particular, we found the argument made by the Attorney General of Illinois that “it would be economically irrational for [a] merchant to not disclose where it has a store because if it discloses where its stores are located,

competitors might open stores in unserved areas.” Thus, we again respectfully request that the FCC reconsider its decision to keep individual provider’s broadband availability confidential.

Respectfully submitted,

MAINE PUBLIC UTILITIES COMMISSION

By:



Vendean V. Vafiades, Commissioner

CONNECT MAINE AUTHORITY

By:

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Phillip Lindley, Executive Director

Dated: August 15, 2008